Preparatory Committee for the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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SUMMARY RECORD OF THE 3rd MEETING

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on Tuesday, 11 May 1999, at 10 a.m.

Chairman: Mr. REYES RODRÍGUEZ (Colombia)

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The meeting was called to order at 10.30 a.m.

ORGANIZATION OF THE 2000 REVIEW CONFERENCE

(a) DATES AND VENUE

1. The CHAIRMAN recalled that the Committee had decided provisionally at its first session, and then confirmed at its second session, that the Review Conference would be held at New York from 24 April to 19 May 2000.

(c) ELECTION OF THE PRESIDENT AND OTHER OFFICERS

2. The CHAIRMAN recalled that the Committee had decided that the 2000 Review Conference would be presided over by a representative of the Movement of Non-Aligned Countries.

3. Mr. POHAN (Indonesia), speaking on behalf of the Movement of Non-Aligned Countries, put forward the candidacy of Mr. Selebi (South Africa).

4. The CHAIRMAN said that he took it that the Committee wished to recommend, in its report, that the Conference should elect Mr. Selebi as President.

5. It was so decided.

6. The CHAIRMAN further recalled that the three main committees of the Conference were traditionally chaired by the chairmen of the various sessions of the Preparatory Committee. If that practice was followed, Main Committee I would be chaired by a representative of the Group of Non-Aligned and other States parties to the Treaty (Colombia); Main Committee II, by a representative of the Group of Eastern European States (Poland); and Main Committee III, by a representative of the Western Group (Finland). He took it that the Committee wished to recommend, in its report, that the Conference should elect those three representatives as chairmen of its main committees.

7. It was so decided.

8. The CHAIRMAN said that at the 1995 Conference, the Drafting Committee had been chaired by a representative of the Group of Eastern European States (Poland), and the Credentials Committee, by a representative of the Movement of Non-Aligned Countries (Colombia). He took it that that would be the Committee's recommendation.

9. It was so decided.

(d) APPOINTMENT OF THE SECRETARY-GENERAL

10. The CHAIRMAN said that at its first session, the Committee had decided to invite the Secretary-General of the United Nations to put forward the candidacy of an official who would perform the duties of Secretary-General of the Conference on a provisional basis, until the Conference confirmed the appointment. After consulting the members of the Committee, the Secretary-

General of the United Nations had put forward the candidacy of Ms. Hannelore Hoppe, Chief, Weapons of Mass Destruction Branch, Department for Disarmament Affairs, who was currently serving as Secretary of the Committee. He took it that the Committee wished to recommend to the Conference that Ms. Hoppe should be appointed as Secretary-General of the Conference.

11. It was so decided.

(b) DRAFT RULES OF PROCEDURE (NPT/CONF.2000/PC.II/CRP.1)

12. The CHAIRMAN recalled that the Committee had considered the draft rules of procedure for the 2000 Review Conference at its previous sessions, but had not reached agreement. In order to align the draft rules with decision 1, adopted in 1995, it was proposed that rule 34 should be amended to read: "The Conference shall establish three Main Committees for the performance of its functions. Each such Committee may establish subsidiary bodies for specific issues relevant to the Treaty so as to provide for a focused consideration of such issues. As a general rule each State Party to the Treaty participating in the Conference may be represented in the subsidiary bodies unless otherwise decided by consensus."

13. Mr. ZAHRAN (Egypt) said that he supported that proposal; he suggested that the title of rule 34 should be amended accordingly.

14. The CHAIRMAN said that if he heard no objection, he would take it that the Committee approved of the amendments and would make a recommendation to that effect in its report to the Conference.

15. It was so decided.

16. Mr. WULF (United States of America), explaining his position, asked for the views of the United States of America to be put on record. While his delegation had not objected to the replacement of the words "working groups" by "subsidiary bodies", that did not mean that it supported all the proposals which had been made on the subject of the establishment of subsidiary bodies. Referring to section D of working paper NPT/CONF.2000/PC.III/6 prepared by his delegation, he said that his delegation believed that only the Conference could decide to establish subsidiary bodies. As matters stood, he would not be able to support a recommendation to entrust that role to the Preparatory Committee.

17. Mr. GOOSEN (South Africa) said that his delegation was pleased that the draft rules of procedure had been amended in the spirit of the decision adopted in 1995. It did not support the position of the United States of America, however. Decision 1, paragraph 6, second sentence, clearly established that the Committee should have an input in the establishment of subsidiary bodies. For its part, South Africa would consider with interest the proposals which had been made on the subject of the establishment of subsidiary bodies in Main Committees I and II.

18. Mr. WULF (United States of America) acknowledged that under the provisions of decision 1, the Committee was authorized to make recommendations on the subject of the possible establishment of subsidiary bodies; in his opinion,

however, that did not mean that the Committee was obliged to do so. Indeed, the Committee would be well advised to refrain from making any recommendations, for the reasons given in his delegation's working paper.

19. Mr. BAEIDI NEJAD (Islamic Republic of Iran) said that the Committee had amended the wording of rule 34 precisely in order to facilitate the establishment of subsidiary bodies of main committees and ensure that the Conference did not waste valuable time considering procedural issues. The Committee should therefore make specific recommendations to the Conference on that subject.

20. Mr. ZAHRAN (Egypt) said that it would be unthinkable to call in question certain aspects of a decision adopted by a vote in 1995. The Committee was entitled to make recommendations to the Conference regarding the establishment of subsidiary bodies. That right could not be withdrawn from it.

21. The CHAIRMAN recalled that the decision to amend rule 34 had already been adopted, on the understanding that it had been considered only as a procedural point.

22. Mr. SHA Zukang (China) said that, although the United States of America had its reasons for preferring that the Conference alone should decide on the establishment of subsidiary bodies of its main committees, the essential point was that it was not opposed to the amendment of rule 34.

23. Mr. KEMPEL (Austria) said that he wished to raise another procedural point concerning rule 44 of the draft rules of procedure. Noting that the document had been drawn up in 1995, at a time when the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization did not yet exist, he proposed that the beginning of paragraph 2 of that rule should be amended to read: "The Secretary-General of the United Nations, the Director General of the International Atomic Energy Agency and the Executive Secretary of the provisional Technical Secretariat of the Comprehensive Nuclear-Test-Ban Treaty Organization ...". The title of the paragraph would be amended accordingly.

24. Ms. BESKER (Croatia) said that she supported the Austrian proposal; she also proposed that the word "regional" should be deleted from the title and from the text of paragraph 3 of the same article, since there were also intergovernmental organizations at the world level.

25. Mr. BAEIDI NEJAD (Islamic Republic of Iran) said that the Austrian proposal was logical, but, noting that rule 44 was divided into paragraphs, each of which corresponded to a particular category of participants in the work of the Conference, he felt that the Executive Secretary of the provisional Technical Secretariat of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization should not be included in the same category as the Secretary-General of the United Nations and the Director-General of IAEA. The activities of the Preparatory Commission did not have the same degree of relevance for the work of the Conference as those of the United Nations or IAEA.

26. Mr. KEMPEL (Austria) stressed that the Executive Secretary should be mentioned in rule 44, paragraph 2, on the one hand because the activities of the

Preparatory Commission were of real interest for the application of the Treaty, as had been indicated in many statements made only on the previous day by delegations and, on the other, because the Executive Secretary would then be entitled to submit material to the Conference, both orally and in writing.

27. Mr. ZAHRAN (Egypt) said that he had no objection to the Executive Secretary participating in the work of the Conference in an observer capacity, but also felt that it would be better to include him in a different category of participants from those envisaged in paragraph 2, since the Preparatory Commission was not attached to the United Nations or IAEA.

28. Mr. KEMPEL (Austria) said that it would suffice to amend the title of paragraph 2 to read: "The United Nations, the International Atomic Energy Agency and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization".

29. The CHAIRMAN suggested that a paragraph 2 bis should be added to rule 44, specifically referring to the temporary nature of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization.

30. Mr. BAEIDI NEJAD (Islamic Republic of Iran) said that he did not feel that the solution was to add a paragraph. Calling on his colleagues to re-read rule 44, paragraph 3, he noted that participants falling within that category could also attend meetings of the plenary and of the main committees and submit comments in writing. Thus, that was not the issue. In the view of his delegation, what the participants envisaged in paragraph 2 had in common was a closer relationship with the Treaty on the Non-Proliferation of Nuclear Weapons than a body like the Preparatory Commission. The issue should therefore be considered further.

31. Mr. GOOSEN (South Africa) proposed, to settle what was only a question of form without real practical impact, that an addition should be made to paragraph 3: the title would become "Provisional technical secretariat of the Comprehensive Nuclear-Test-Ban Treaty Organization, specialized agencies and regional intergovernmental organizations"; and the first sentence would begin: "The provisional Technical Secretariat of the Comprehensive Nuclear Test-Ban Treaty Organization, the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, etc. ..."

32. The CHAIRMAN suggested that the Committee should opt for that solution, specifying that the bodies envisaged in paragraph 3, as amended, were entitled to submit material, both orally and in writing.

33. Mr. KEMPEL (Austria) said that the reason why he would prefer either to amend paragraph 2 or to create a new paragraph 2 bis, as suggested by the Chairman, was that paragraph 3 was more restrictive. It provided that organizations with observer status were entitled to appoint representatives only to attend meetings other than those meetings which were designated as closed - which had generally been the case for most meetings.

34. The CHAIRMAN said that an appropriate formula would have to be found during informal consultations.

(e) PROVISIONAL AGENDA

35. The CHAIRMAN drew attention to the provisional agenda for the 2000 Review Conference, which, he recalled, was based on the agenda for the 1995 Conference with the addition of references to the decisions and resolution adopted at that Conference. He suggested that an addition should be made to item 16, paragraph (b) (i) that would read "United Nations Security Council resolutions 255 (1968) and 984 (1995)".

36. Mr. ZAHRAN (Egypt) said that he supported that suggestion; he proposed that the wording of item 17 should be changed, so that instead of ending with the words "measures aimed at promoting wider acceptance of the Treaty", it would end with the words "measures aimed at strengthening the implementation of the Treaty and to achieve universality".

37. Mr. BAIEDI NEJAD (Islamic Republic of Iran), Mr. AL-ANBUGE (Iraq) and Mr. ABOU-HADID (Syrian Arab Republic) said that they strongly supported the Egyptian proposal, and believed that it would strengthen the text in a judicious, logical and appropriate manner.

38. Mr. WULF (United States of America) said that it might be preferable to introduce the idea of "compliance" rather than use the term "implementation".

39. Mr. ZAHRAN (Egypt) said that he could accept that idea, provided that the two words, "compliance" and "implementation", were retained; he felt that it was essential to keep the latter word. Moreover, he was not convinced that "respect" for the Treaty should be a concern of the Review Conference.

40. Mr. GOOSEN (South Africa) said that the amendment proposed by Egypt was consistent with decision 1 of the 1995 Conference, concerning the strengthening of the review process of the Treaty; the last phrase of paragraph 7 specifically stipulated that review conferences "should also address specifically what might be done to strengthen the implementation of the Treaty and to achieve its universality".

41. Mr. WULF (United States of America) said that the distinction he had tried to make was not essential in that context and, in view of what had just been said about paragraph 7 of decision 1, he felt that it would be better to retain the Egyptian proposal; he would therefore withdraw his own proposal.

42. The CHAIRMAN read out item 17 as amended and said that he took it that the provisional agenda was adopted with the amendments to items 16 and 17.

43. It was so decided.

44. Mr. MOHER (Canada) said that Canada had accepted the decisions made during the meeting to the extent that they were a continuation of what had been agreed upon in 1995; in its view there had been no question of reopening the debate on issues considered. As it had already pointed out several times, most recently in its working paper entitled "Further enhancing the strengthened review process for the Treaty" (NPT/CONF.2000/PC.III/3), Canada strongly believed that the "cluster approach" would lead to confusion in the consideration of issues and,

as recognized in the 1995 document, would sometimes be redundant. A straightforward approach should therefore be adopted whereby the various provisions were not artificially grouped but considered article by article.

(f) FINANCING OF THE REVIEW CONFERENCE, INCLUDING ITS PREPARATORY COMMITTEE

45. The CHAIRMAN recalled that at its second session, the Committee had taken note of the cost estimates submitted by the secretariat for the Review Conference and the Preparatory Committee (NPT/CONF.2000/PC.II/1) and had also approved the schedule of division of costs in document NPT/CONF.2000/PC.II/CRP.1/Add.1. A revised schedule of division of costs would be submitted, taking into account participation in three sessions, and revised cost estimates. Moreover, according to information provided by the secretariat, the total payments made to date by 70 countries amounted to $2,591,122.83.

(g) BACKGROUND DOCUMENTATION

46. The CHAIRMAN said that various proposals had been made and he planned to hold consultations before submitting a draft decision to the Committee. The same applied to issues to be referred to the main committees of the 2000 Review Conference.

The meeting rose at 11.50 a.m.